

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MIKE PEREZ,	:	CIVIL ACTION NO. 1:04-CV-1944
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant	:	

MEMORANDUM

AND NOW, this 17th day of March, 2006, upon consideration of plaintiff's motion for appointment of counsel (Doc. 106), and it appearing that while plaintiff's case has arguable merit in fact and law, based upon the progression of the litigation thus far, including the numerous motions filed by plaintiff and his ability to navigate an evidentiary hearing, it is clear that plaintiff is capable of properly and forcefully prosecuting his claims with adequate factual investigation and appropriate citations to governing authority, and it further appearing that at this point, resolution of plaintiff's claims neither implicates complex legal or factual issues nor requires factual investigation or the testimony of expert witnesses, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel), it is hereby ORDERED that the motion (Doc. 106) is DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff. See id.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge